

REMARKS

The following remarks are provided in response to the Office Action dated November 3, 2004 in which the Examiner:

- rejected claims 18-25 under 35 U.S.C. §102(e/f) as being anticipated by U.S. Pub. 2003/0148596 to Kellar et al. (hereinafter Kellar)

The applicants respectfully request reconsideration of the above referenced patent application in view of the amendments and remarks set forth herein, and respectfully request that the Examiner withdraw all rejections.

New Claims

The applicants herein add new claims 30-33 and respectfully assert that they have the right to claim the invention as set forth in the new claims.

35 U.S.C. §102(e)

The Examiner rejected claims 18-25 under §102(e/f) as being anticipated by Kellar. For at least the foregoing reasons the applicants traverse the Examiner's rejection.

To establish a *prima facie* case of anticipation under §102, the Examiner must supply a single prior art document that alone teaches every element and every limitation of the claim being rejected. If the Examiner cannot show that the single prior art document asserts each and every element and limitation of the applicants' claim, then the Examiner has failed to establish a *prima facie* case of anticipation for that claim. To overcome the Examiner's anticipation rejection, the applicants must only demonstrate

that the cited prior art document fails to teach one element or limitation present in the claim.

Currently amended independent claim 18 recites in a salient portion:

. . . a layer of polymer foam formed on at least a portion of the first substrate adjacent to the interconnect structures, **the polymer foam including polystyrene, polyester, polyurethane, or a combination thereof;**
(emphasis added)

The applicants herein cancel claims 19-22. The Examiner rejected claims 19 and 20, elements of which have been included in currently amended independent claim 18, under Kellar paragraph [0018] and Figure 1A. In particular, the Examiner alleges that paragraph [0018] discloses a polymer foam, and more particularly that the polymer foam comprises one or more of polystyrene, polyester, and polyurethane. The applicants respectfully disagree. The applicants assert that paragraph [0018] discloses particular ILD materials including dielectric glues or polymer adhesives such as polyimide and epoxy. The applicants assert that paragraph [0018] further discloses a deformable dielectric glue such as SILK and a bonding adhesive such as BPSG. The applicants respectfully affirm that the cited portions of Kellar do not, however, teach a polymer foam including polystyrene, polyester, polyurethane, or a combination thereof as recited by currently amended independent claim 18. Accordingly, the applicants respectfully request that the Examiner allow currently amended independent claim 18 as it recites at least an element not taught by Kellar. The applicants further request that the Examiner allow dependent claims 23-25 as each depends from a patentable independent claim.

CONCLUSION

For at least the foregoing reasons, the applicants submit that they have overcome the Examiner's rejection and that they have the right to claim the invention as set forth in the listed claims. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN, L.L.P.

2/3/05
Dated



Jon C. Beali
Reg. No. 54,391

12400 Wilshire Boulevard
Los Angeles, California 90025
(503) 439-8778